

## **REMARKS**

Claims 1-4 and 9-11, 14, and 15 were presented for examination, with claims 5-8, 12 and 13 being withdrawn in response to earlier restriction requirements. The Office Action dated July 16, 2007 rejects claims 1-4, 9-11, 14, and 15. This response amends claim 1, cancels claims 2 and 3, and adds new dependent claim 16. Claims 1 and 4-16 are now pending in the application.

### **Claim Rejections -- 35 U.S.C. § 103**

The Office Action rejects claims 1-3, 9-11, and 15 as being unpatentable over Schmid (U.S. Patent No. 5,626,406) in view of Powell (U.S. Patent No. 4,440,461). The Office Action also rejects claims 1-4, 11, 14, and 15 as being unpatentable over Harwell (U.S. Patent No. 6,142,590) in view of Tomino (U.S. Application Publication No. 2003/0042215) and further in view of Powell.

Applicant respectfully traverses the rejection because these references, whether taken alone or in combination, do not teach or suggest side walls of a tray, wherein each side wall has opposing rail guides with lips that extend *away from each other* and have outer edges that *face away from each other*, as now set forth in the applicant's claimed invention.

The Applicant's tray, as set forth in independent claim 1, now includes a side wall with an upper rail guide at a top edge of the side wall and a lower rail guide at a bottom region of the side wall. The upper rail guide has a horizontal section that extends laterally from the side wall and a upwards-facing lip that extends from the horizontal section in a direction away from the lower rail guide at the bottom region. The lower rail guide has a horizontal section that extends laterally from the side wall and a downwards-facing lip

that extends from the horizontal section in a direction away from the upper rail guide at the top edge of the side wall.

The horizontal sections of the rail guides oppose each other and have a spatial separation sized for closely receiving therebetween a first type of side rail. The upwards-facing and downwards-facing lips have outer edges that face away from each other and have a spatial separation sized for simultaneously entering respective grooves of a second type of side rail. *The spatial separation between the outer edges of the upwards and downwards-facing lips is greater than the spatial separation between the horizontal sections of the rail guides.*

Each side wall (18) of Schmid's chassis has opposing upper and lower grooves into which a side rail (14 or 16) slides. Each groove may be said to have a horizontal section and a lip. However, unlike the Applicant's invention, the lip of the upper groove does not extend in a direction away from the lower groove, and the lip at the lower groove does not extend in a direction away from the upper groove. This is the case irrespective of which of Schmid's grooves is considered the upper and which is considered the lower (i.e., the outer edges of the "lips" extend toward each other, and do not face away from each other). Moreover, the spatial separation between the outer edges of Schmid's lips is less than the spatial separation between Schmid's horizontal sections. In contrast, in the applicant's invention, the spatial separation between the lips is *greater* than that between the horizontal sections.

Like the side walls of Schmid's chassis, the side walls (17) of Powell's drawer do not have rail guides with lips that extend away from each other. Rather, in each of Powell's disclosed embodiments, the "lips" extend toward each other. Again, unlike the applicant's invention, the spatial separation between these lips is less than that between horizontal sections.

Each side wall of Harwell's keyboard drawer has only one drawer rail (192), and thus cannot disclose or suggest the applicant's opposing upper and lower rail guides with opposing horizontal sections and lips that extend away from each other.

Each side wall (146) of Tomino's tray has a top part (146a) and a bottom part (146c). Applicant submits that such parts (146a, 146c) are not even rail guides (i.e., Tomino's side rail are not guided by these parts). Notwithstanding, only the upper part (146a) may be considered to have a lip that extends away from the lower part (146c). The lower part (146c) is orthogonal to the side wall (146), but does not have a corresponding lip that extends in a direction away from the upper part (FIG. 3A). Therefore, Tomino also does not disclose or suggest every feature of the applicant's upper and lower rail guides.

Accordingly, because none of the cited references disclose or suggest a tray with side walls having opposing rail guides with lips that extend *away from each other* and that have outer edges that *face away from each other*, as now set forth in the applicant's invention, these cited references, whether taken alone or in combination, cannot teach or suggest the applicant's invention. Therefore, applicant respectfully submits that the rejection is overcome.

Each non-withdrawn dependent claim 4, 9-11, and 14-16 depends directly or indirectly from patentable independent claim 1, and incorporates all of its limitations and, therefore, is patentably distinguishable over the Schmid, Powell, Harwell, and Tomino, and any combination thereof, for at least those reasons provided in connection with independent claim 1. Each dependent claim also recites an additional limitation, which, in combination with the elements and limitations of its independent claim, further distinguishes that

dependent claim from these references. Applicant, therefore, also respectfully requests withdrawal of the rejection of these claims.

**CONCLUSION**

In view of the amendments and arguments made herein, applicant submits that the application is in condition for allowance and requests early favorable action by the Examiner.

If the Examiner believes that a telephone conversation with the applicant's representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-0932.

Respectfully submitted,

Date: October 16, 2007  
Reg. No. 41,274

Tel. No.: (508) 303-0932  
Fax No.: (508) 303-0005

/Michael A. Rodriguez/  
Michael A. Rodriguez  
Attorney for applicant  
Guerin & Rodriguez, LLP  
5 Mount Royal Avenue  
Marlborough, MA 01752